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AUG 26 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Magyar, Robert J EXAMINER: NGUYEN, DANNY
APPLN. NO.: 10/667,257 GROUP: 2836 CONF. NO. 1147
FILED: 09/19/2003 DOCKET: TTA-112
TITLE: AMPERAGE CONTROL FOR VALVES

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile transmission to Commissioner for Patents, Mail Stop Petitions, Group Art Unit 2836, Attention: Danny Nguyen, P.O. Box 1450, Alexandria, VA 22313-1450, at fax number (571) 273-8300, on August 26, 2008.



Carmen B. Patti
Attorney for Applicants
Reg. No. 26,784

Date of Signature: August 26, 2008

Commissioner for Patents
Mail Stop Petitions
Group Art Unit 2836
P.O. Box 1450
Alexandria, VA 22313-1450
Fax Number (571) 273-8300

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OFFICE OF PETITIONS

PETITION TO WITHDRAW THE HOLDING OF AN ABANDONMENT

Dear Sir:

This paper is filed in response to a Notice of Abandonment we received on August 4, 2008 and mailed August 1, 2008 in connection with the above-designated application.

An investigation was conducted and was determined that on June 26, 2008 in advance of the due date of July 3, 2008, the Applicants' attorney prepared and mailed the Issue Fee Transmittal and Credit Card Payment Form to the U.S. patent office regarding payment of the Notice of Allowance and Fee(s) form mailed April 3, 2008. The Notice of Allowance and Fee(s) form initially stated that the Issue fee due was \$720.00 and the Publication fee due was \$300 for Small Entity status. These amounts were correctly stated on this form.

The Issue Fee Transmittal mailed from Applicants' attorney to the U.S. patent office on June 26, 2008 inadvertently checked "Box 4b, which states Applicant is no longer claiming SMALL ENTITY status." The correct box that should have been checked is --Box 4a, Applicant claims SMALL ENTITY status.-- The Credit Card form mailed along with the Issue Fee Transmittal incorrectly stated the amount of "\$1,700.00." The correct amount should have been --\$1,020.00.-- This was an inadvertent error made on the Issue Fee Transmittal and the Credit Card form.

The Notice of Abandonment stated that the subject application became abandon for failure of insufficient funds and stated that \$1,697 was retrieved from the Applicants' firm credit card and that not enough funds were available for payment of the large entity status.

The Applicants believe that the subject application should not have become abandoned since the amount stated above that has been paid is currently over the correct amount due of \$1,020.00 for Small Entity status, and the Applicants request withdrawal of the holding of abandonment.


Further, the Applicants are entitled to a refund of a \$680.00 over payment made in connection with the Notice of Allowance fee mailed on June 26, 2008.

The Applicants respectfully request that the holding of abandonment be withdrawn.

The undersigned attorney further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under section 1001 of title 18 of the united states code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call Applicants' attorney.

Respectfully submitted,



Carmen B. Patti
Attorney for Applicants
Reg. No. 26,784

Dated: August 26, 2008

PATTI, HEWITT & AREZINA
Customer Number 32205